

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA)
)
)
v.) Docket No. 3:22-CR-118
)
)
AUSTIN CARTER,)
)
Defendant.)

**UNOPPOSED
MOTION TO CONTINUE THE TRIAL AND ASSOCIATED DEADLINES**

COMES NOW THE DEFENDANT, Austin Carter, and moves this Honorable Court for an order continuing the trial of this matter and resetting all associated deadlines. In support of this motion, Mr. Carter would show this Honorable Court as follows:

1. Mr. Carter was indicted by the Grand Jury on December 21, 2022.
2. An initial appearance was held on January 3, 2023, at which time the trial of this matter was set for February 28, 2023.
3. Initial discovery was received on January 10, 2023.
4. The current plea deadline is January 27, 2023.
5. Despite diligent efforts, there is simply not enough time prior to the scheduled trial date for Mr. Carter to be fully prepared for trial. This case requires time for preparation as well as for plea negotiations in excess of the time available given the current trial date.
6. Continuing the trial of this matter will serve the ends of justice as it will allow the necessary time for counsel to be adequately prepared for trial and therefore will protect Mr. Carter's right to the effective assistance of counsel. It will also permit the parties to engage in settlement negotiations which may well prove fruitful.

7. Counsel for Mr. Carter has discussed this motion with the co-defendant, Edward Kelley, can represent to the Court that Mr. Kelley does not oppose this motion.
8. Counsel for Mr. Carter has discussed this motion with the Government, and can represent to the Court that it does not oppose this motion.
9. Continuing the trial date in this matter will serve the interests of justice.
10. Mr. Carter understands and agrees that the time period of this continuance is excluded from the speedy trial computation.

WHEREFORE, premises considered, Mr. Carter prays that this Honorable Court enter an order continuing the trial of this matter and re-setting all associated deadlines.

Respectfully submitted this the 26th day of January, 2023,



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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2023, a copy of the foregoing motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other interested parties will be served by regular US Mail. Parties may access this filing through the Court's electronic filing system.



Joshua D. Hedrick,
Attorney for Mr. Carter